

JOURNAL OF THE HOUSE

EIGHTY-NINTH SESSION

TWENTY-FIRST DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Tuesday, February 18, 2014

The House convened at 2:00 p.m., pursuant to adjournment, the Speaker presiding.

The prayer was offered by the Chaplain, Pastor Paul Bly, followed by the Pledge of Allegiance led by House pages Jennifer Christensen and Ridge Sandal.

Roll Call: All members present except Rep. Latterell who was excused.

APPROVAL OF THE JOURNAL

MR. SPEAKER:

The Committee on Legislative Procedure respectfully reports that the Chief Clerk of the House has had under consideration the House Journal of the twentieth day and finds that the following correction should be made:

On page 415, lines 5 to 7, inclusive, delete:

"SCR 1: A CONCURRENT RESOLUTION, Urging Congress to reject the proposal to remove the states' authority to designate a hospital as a necessary provider under the critical access hospital program."

and insert:

"SCR 3: A CONCURRENT RESOLUTION, Urging the members of the South Dakota Congressional delegation to sponsor and support the Marketplace Fairness Act, or similar legislation that would grant the states authority to collect sales and use tax on remote sales."

1 All additional errors, typographical or otherwise, are duly marked in the temporary journal
2 for correction.

3 And we hereby move the adoption of the report.

4 Respectfully submitted,
5 Brian G. Gosch, Chair

6 Which motion prevailed.

7 HONORED GUESTS

8 Speaker Gosch introduced Bob Graff of Onida, a member of the Agar-Blunt-Onida School
9 District Board of Education, as the Associated School Boards of South Dakota School Board
10 outstanding member for 2014.

11 COMMUNICATIONS AND PETITIONS

12 February 18, 2014

13 Mr. Speaker and Members of the House of Representatives:

14 I have the honor to inform you that on February 18, 2014, I approved House Bills 1009 and
15 1010, and the same have been deposited in the office of the Secretary of State.

16 Respectfully submitted,
17 Dennis Daugaard
18 Governor

19 REPORTS OF STANDING COMMITTEES

20 MR. SPEAKER:

21 The Committee on Agriculture and Natural Resources respectfully reports that it has had
22 under consideration HB 1195, 1222, and 1254 which were deferred to the 41st Legislative Day.

23 Respectfully submitted,
24 Charles B. Hoffman, Chair

1 Also MR. SPEAKER:

2 The Committee on Transportation respectfully reports that it has had under consideration
3 HB 1173 and returns the same with the recommendation that said bill do pass.

4 Also MR. SPEAKER:

5 The Committee on Transportation respectfully reports that it has had under consideration
6 HB 1043 and returns the same with the recommendation that said bill be amended as follows:

7 1043oa

8 On page 34 of the printed bill, delete lines 16 to 24, inclusive.

9 On page 35, delete lines 1 to 7, inclusive.

10 1043oc

11 On page 24, line 22, of the printed bill, after ";" insert "or".

12 On page 24, line 24, after "section" delete "; or" and insert ";".

13 On page 25, delete line 1.

14 On page 25, line 6, after ";" insert "For the purposes of this section, the term, structure,
15 means any object constructed by human action.

16 Any person or organization, who intends to construct or alter a structure that exceeds two
17 hundred feet above ground level and that is outside the zones described in this section and who
18 has obtained a Federal Aviation Administration determination of no hazard, may provide that
19 determination to the commission prior to the start of construction in lieu of the application and
20 permit required by this chapter."

21 On page 26, delete line 24, and insert:

22 " Section 66. That § 50-9-9 be repealed.

23 ~~— 50-9-9. The commission may, pursuant to chapter 1-26, promulgate and enforce rules~~
24 ~~establishing minimum standards and criteria, including lighting, painting, and marking of any~~
25 ~~buildings, structures, towers, and hazards referred to in §§ 50-9-2, 50-9-3 and 50-9-7 in the~~
26 ~~interest of safe operation of aircraft and public safety. In promulgating and enforcing rules, the~~
27 ~~commission shall consider aviation safety, economic impact, financial impact on applicants~~
28 ~~applying for permits to build structures, multiple uses of airspace, federal regulations, and other~~
29 ~~relevant factors. The power and authority to enforce such rules by injunction proceedings in any~~
30 ~~court of competent jurisdiction instituted in the name of the commission, is hereby conferred."~~

1 On page 27, delete lines 1 to 9, inclusive.

2 And that as so amended said bill do pass.

3 Also MR. SPEAKER:

4 The Committee on Transportation respectfully reports that it has had under consideration
5 HB 1230 which was deferred to the 41st Legislative Day.

6 Respectfully submitted,
7 Mike Verchio, Chair

8 Also MR. SPEAKER:

9 The Committee on Health and Human Services respectfully reports that it has had under
10 consideration HB 1239 which was deferred to the 41st Legislative Day.

11 Respectfully submitted,
12 Scott Munsterman, Chair

13 Also MR. SPEAKER:

14 The Committee on Local Government respectfully reports that it has had under
15 consideration HB 1134 and returns the same with the recommendation that said bill be amended
16 as follows:

17 1134yb

18 On page 2, line 2, of the printed bill, delete "economic development, promotional".

19 On page 2, line 3, after "functions" insert "for all purposes authorized by law or necessary
20 to the exercise of any power granted".

21 On page 2, line 3, after "." insert:

22 " Section 2. That § 9-12-11 be amended to read as follows:

23 9-12-11. A municipality may appropriate money from its general fund to promote itself. If
24 there are commercial clubs, chambers of commerce, or industrial development corporations
25 organized and incorporated as nonprofit corporations under the laws of the State of South
26 Dakota for the purpose of promoting the municipality, the appropriations or any part thereof
27 may be paid to such organizations for expenses incurred for promoting the municipality.
28 Payments to these organizations shall be based on programs previously submitted to the
29 governing board by them and they shall be required to maintain complete records on all their
30 activities and shall provide a certified audit of those records to the governing board of the

1 municipality at the close of each fiscal period. In lieu of a certified audit, the governing board
2 may accept a financial statement. For purposes of this section, promotion includes, but is not
3 limited to, any costs incidental to the hosting of events held within the municipality."

4 And that as so amended said bill do pass and be placed on the consent calendar.

5 Also MR. SPEAKER:

6 The Committee on Local Government respectfully reports that it has had under
7 consideration HB 1223 and 1253 which were deferred to the 41st Legislative Day.

8 Respectfully submitted,
9 Tim Rounds, Chair

10 MESSAGES FROM THE SENATE

11 MR. SPEAKER:

12 I have the honor to return herewith HB 1056, 1059, 1060, and 1092 which have passed the
13 Senate without change.

14 Also MR. SPEAKER:

15 I have the honor to return herewith HCR 1014 in which the Senate has concurred.

16 Also MR. SPEAKER:

17 I have the honor to transmit herewith SB 46, 85, 88, 104, and 143 which have passed the
18 Senate and your favorable consideration is respectfully requested.

19 Respectfully,
20 Jeannette Schipper, Secretary

21 MOTIONS AND RESOLUTIONS

22 HCR 1012: A CONCURRENT RESOLUTION, Recognizing the honor and remember flag
23 as the designated symbol of South Dakota's concern and commitment to honoring and
24 remembering all members of the United States Armed Forces who have lost their lives while
25 serving, or as a result of service, and their families.

1 Rep. Stevens moved that HCR 1012 as found on page 291 of the House Journal be
2 adopted.

3 The question being on Rep. Stevens' motion that HCR 1012 be adopted.

4 And the roll being called:

5 Yeas 67, Nays 2, Excused 1, Absent 0

6 Yeas:

7 Anderson; Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden;
8 Duvall; Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar
9 (Jenna); Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff
10 (Bernie); Johns; Killer; Kirschman; Kopp; Langer; Lust; Magstadt; May; Mickelson;
11 Munsterman; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm;
12 Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly;
13 Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink;
14 Wismer; Speaker Gosch

15 Nays:

16 Kaiser; Nelson

17 Excused:

18 Latterell

19 So the motion having received an affirmative vote of a majority of the members-elect, the
20 Speaker declared the motion carried and HCR 1012 was adopted.

21 SCR 3: A CONCURRENT RESOLUTION, Urging the members of the South Dakota
22 Congressional delegation to sponsor and support the Marketplace Fairness Act, or similar
23 legislation that would grant the states authority to collect sales and use tax on remote sales.

24 Rep. Cronin moved that SCR 3 as found on page 289 of the Senate Journal be concurred
25 in.

26 The question being on Rep. Cronin's motion that SCR 3 be concurred in.

27 And the roll being called:

28 Yeas 63, Nays 6, Excused 1, Absent 0

1 Yeas:

2 Anderson; Bartling; Bolin; Cammack; Carson; Conzet; Cronin; Dryden; Duvall; Ecklund;
3 Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek;
4 Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns;
5 Killer; Kirschman; Langer; Lust; Magstadt; May; Mickelson; Munsterman; Novstrup (David);
6 Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring; Romkema;
7 Rounds; Rozum; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens;
8 Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer; Speaker Gosch

9 Nays:

10 Campbell; Craig; Kaiser; Kopp; Nelson; Russell

11 Excused:

12 Latterell

13 So the motion having received an affirmative vote of a majority of the members-elect, the
14 Speaker declared the motion carried and SCR 3 was concurred in.

15 **CONSIDERATION OF REPORTS OF COMMITTEES**

16 Rep. Lust moved that the reports of the Standing Committees on

17 Transportation on SB 103 as found on page 410 of the House Journal; also

18 Taxation on HB 1121 as found on page 411 of the House Journal; also

19 Appropriations on HB 1204 as found on page 417 of the House Journal be adopted.

20 Which motion prevailed.

21 **FIRST READING OF SENATE BILLS AND JOINT RESOLUTIONS**

22 SB 46: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding animal
23 welfare and to provide a felony penalty for cruelty to animals.

24 Was read the first time and referred to the Committee on Judiciary.

25 SB 85: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding
26 confidential criminal justice information.

27 Was read the first time and referred to the Committee on Judiciary.

SB 88: FOR AN ACT ENTITLED, An Act to repeal certain outdated and obsolete provisions regarding traction engines operated over bridges.

Was read the first time and referred to the Committee on Transportation.

SB 104: FOR AN ACT ENTITLED, An Act to authorize the use of night vision equipment for hunting under certain conditions.

Was read the first time and referred to the Committee on Agriculture and Natural Resources.

SB 143: FOR AN ACT ENTITLED, An Act to provide for a civil remedy for a bad faith assertion of patent infringement.

Was read the first time and referred to the Committee on Judiciary.

SECOND READING OF CONSENT CALENDAR ITEMS

HB 1249: FOR AN ACT ENTITLED, An Act to revise the required hours in a school term for certain grade levels.

Was read the second time.

The question being "Shall HB 1249 pass as amended?"

And the roll being called:

Yeas 69, Nays 0, Excused 1, Absent 0

Yeas:

Anderson; Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns; Kaiser; Killer; Kirschman; Kopp; Langer; Lust; Magstadt; May; Mickelson; Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer; Speaker Gosch

Excused:

Latterell

So the bill having received an affirmative vote of a majority of the members-elect, the Speaker declared the bill passed and the title was agreed to.

1 HB 1106: FOR AN ACT ENTITLED, An Act to repeal certain outdated and obsolete
2 provisions regarding the sale of petroleum products.

3 Was read the second time.

4 The question being "Shall HB 1106 pass as amended?"

5 And the roll being called:

6 Yeas 69, Nays 0, Excused 1, Absent 0

7 Yeas:

8 Anderson; Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden;
9 Duvall; Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar
10 (Jenna); Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff
11 (Bernie); Johns; Kaiser; Killer; Kirschman; Kopp; Langer; Lust; Magstadt; May; Mickelson;
12 Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson;
13 Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish;
14 Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra;
15 Wick; Wink; Wismer; Speaker Gosch

16 Excused:

17 Latterell

18 So the bill having received an affirmative vote of a majority of the members-elect, the
19 Speaker declared the bill passed and the title was agreed to.

20 HB 1184: FOR AN ACT ENTITLED, An Act to declare the fourth Saturday in July Day
21 of the American Cowboy.

22 Was read the second time.

23 The question being "Shall HB 1184 pass?"

24 And the roll being called:

25 Yeas 69, Nays 0, Excused 1, Absent 0

26 Yeas:

27 Anderson; Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden;
28 Duvall; Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar
29 (Jenna); Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff
30 (Bernie); Johns; Kaiser; Killer; Kirschman; Kopp; Langer; Lust; Magstadt; May; Mickelson;
31 Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson;
32 Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish;
33 Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra;
34 Wick; Wink; Wismer; Speaker Gosch

1 Excused:
2 Latterell

3 So the bill having received an affirmative vote of a majority of the members-elect, the
4 Speaker declared the bill passed and the title was agreed to.

5 SB 61: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding
6 organization, first responder, and organ donor emblem speciality plates for motor vehicles.

7 Was read the second time.

8 The question being "Shall SB 61 pass?"

9 And the roll being called:

10 Yeas 69, Nays 0, Excused 1, Absent 0

11 Yeas:
12 Anderson; Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden;
13 Duvall; Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar
14 (Jenna); Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff
15 (Bernie); Johns; Kaiser; Killer; Kirschman; Kopp; Langer; Lust; Magstadt; May; Mickelson;
16 Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson;
17 Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish;
18 Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra;
19 Wick; Wink; Wismer; Speaker Gosch

20 Excused:
21 Latterell

22 So the bill having received an affirmative vote of a majority of the members-elect, the
23 Speaker declared the bill passed and the title was agreed to.

24 SB 95: FOR AN ACT ENTITLED, An Act to revise certain vehicle dealer licensing
25 provisions.

26 Was read the second time.

27 The question being "Shall SB 95 pass?"

28 And the roll being called:

29 Yeas 69, Nays 0, Excused 1, Absent 0

1 Yeas:

2 Anderson; Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden;
3 Duvall; Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar
4 (Jenna); Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff
5 (Bernie); Johns; Kaiser; Killer; Kirschman; Kopp; Langer; Lust; Magstadt; May; Mickelson;
6 Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson;
7 Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish;
8 Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra;
9 Wick; Wink; Wismer; Speaker Gosch

10 Excused:

11 Latterell

12 So the bill having received an affirmative vote of a majority of the members-elect, the
13 Speaker declared the bill passed and the title was agreed to.

14 SB 138: FOR AN ACT ENTITLED, An Act to revise certain provisions relating to title-
15 based escheatment of abandoned United States savings bonds and the proceeds thereof.

16 Was read the second time.

17 The question being "Shall SB 138 pass?"

18 And the roll being called:

19 Yeas 69, Nays 0, Excused 1, Absent 0

20 Yeas:

21 Anderson; Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden;
22 Duvall; Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar
23 (Jenna); Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff
24 (Bernie); Johns; Kaiser; Killer; Kirschman; Kopp; Langer; Lust; Magstadt; May; Mickelson;
25 Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson;
26 Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish;
27 Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra;
28 Wick; Wink; Wismer; Speaker Gosch

29 Excused:

30 Latterell

31 So the bill having received an affirmative vote of a majority of the members-elect, the
32 Speaker declared the bill passed and the title was agreed to.

1 SECOND READING OF HOUSE BILLS AND JOINT RESOLUTIONS

2 HB 1157: FOR AN ACT ENTITLED, An Act to provide for the retrospective payment of
3 clean claims for covered services provided by a health care professional during the credentialing
4 period.

5 Was read the second time.

6 The question being "Shall HB 1157 pass as amended?"

7 And the roll being called:

8 Yeas 67, Nays 2, Excused 1, Absent 0

9 Yeas:

10 Anderson; Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden;
11 Duvall; Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar
12 (Jenna); Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff
13 (Bernie); Johns; Killer; Kirschman; Kopp; Langer; Lust; Magstadt; May; Mickelson;
14 Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson;
15 Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Schaefer; Schoenfish; Schrempp; Sly;
16 Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink;
17 Wismer; Speaker Gosch

18 Nays:

19 Kaiser; Russell

20 Excused:

21 Latterell

22 So the bill having received an affirmative vote of a majority of the members-elect, the
23 Speaker declared the bill passed and the title was agreed to.

24 HB 1097: FOR AN ACT ENTITLED, An Act to revise the criteria for classifying property
25 as agricultural land.

26 Was read the second time.

27 1097fc

28 Rep. Verchio moved that HB 1097 be amended as follows:

29 On page 1, line 12, of the House Agriculture and Natural Resources Committee engrossed
30 bill, before "its" insert "it consists of a single parcel of not less than twenty acres of land and".

1 On page 2, line 13, overstrike "The".

2 On page 2, line 15, delete "~~the~~" and insert "For the purpose of this subdivision only, the".

3 On page 2, line 23, after "land" insert ", whether adjoining or not,".

4 On page 2, line 24, after "¿" insert "However, if all of the parcels making up the
5 management unit adjoin each other, a parcel that is part of that management unit may be less
6 than twenty acres.".

7 Which motion prevailed.

8 Rep. Munsterman moved the previous question.

9 Which motion prevailed.

10 The question being "Shall HB 1097 pass as amended?"

11 And the roll being called:

12 Yeas 35, Nays 34, Excused 1, Absent 0

13 Yeas:

14 Anderson; Bolin; Campbell; Conzet; Craig; Dryden; Duvall; Ecklund; Haggar (Don); Haggar
15 (Jenna); Hajek; Hickey; Hoffman; Kaiser; Killer; Kopp; Langer; Lust; Magstadt; May;
16 Munsterman; Nelson; Olson (Betty); Otten (Herman); Qualm; Rasmussen; Russell; Schoenfish;
17 Sly; Stalzer; Stevens; Verchio; Westra; Wick; Speaker Gosch

18 Nays:

19 Bartling; Cammack; Carson; Cronin; Erickson; Feickert; Feinstein; Gibson; Greenfield; Hawks;
20 Hawley; Heinemann (Leslie); Heinert; Hunhoff (Bernie); Johns; Kirschman; Mickelson;
21 Novstrup (David); Parsley; Peterson; Ring; Romkema; Rounds; Rozum; Schaefer; Schrempp;
22 Soli; Solum; Steele; Tulson; Tyler; Werner; Wink; Wismer

23 Excused:

24 Latterell

25 So the bill not having received an affirmative vote of a majority of the members-elect, the
26 Speaker declared the bill lost.

27 Rep. Verchio announced his intention to reconsider the vote by which HB 1097 lost.

1 HB 1140: FOR AN ACT ENTITLED, An Act to permit townships to levy a capital
2 improvement property tax for secondary roads, bridges, and culverts.

3 Was read the second time.

4 The question being "Shall HB 1140 pass as amended?"

5 And the roll being called:

6 Yeas 48, Nays 20, Excused 2, Absent 0

7 Yeas:

8 Anderson; Bartling; Bolin; Craig; Dryden; Duvall; Ecklund; Feickert; Feinstein; Gibson;
9 Greenfield; Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff
10 (Bernie); Johns; Kaiser; Killer; Kirschman; Lust; Magstadt; May; Mickelson; Munsterman;
11 Novstrup (David); Olson (Betty); Otten (Herman); Peterson; Qualm; Rasmussen; Ring;
12 Romkema; Rozum; Schoenfish; Schrempp; Soli; Solum; Steele; Stevens; Tulson; Tyler;
13 Werner; Wink; Wismer

14 Nays:

15 Cammack; Campbell; Carson; Conzet; Cronin; Erickson; Haggar (Don); Haggar (Jenna); Kopp;
16 Langer; Nelson; Rounds; Russell; Schaefer; Sly; Stalzer; Verchio; Westra; Wick; Speaker
17 Gosch

18 Excused:

19 Latterell; Parsley

20 So the bill having received an affirmative vote of a two-thirds majority of the members-
21 elect, the Speaker declared the bill passed and the title was agreed to.

22 HB 1213: FOR AN ACT ENTITLED, An Act to analyze and promote economic
23 development for South Dakota's Native American population and to establish a task force.

24 Was read the second time.

25 The question being "Shall HB 1213 pass as amended?"

26 And the roll being called:

27 Yeas 68, Nays 0, Excused 2, Absent 0

1 Yeas:

2 Anderson; Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden;
3 Duvall; Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar
4 (Jenna); Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff
5 (Bernie); Johns; Kaiser; Killer; Kirschman; Kopp; Langer; Lust; Magstadt; May; Mickelson;
6 Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Peterson; Qualm;
7 Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly;
8 Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink;
9 Wismer; Speaker Gosch

10 Excused:

11 Latterell; Parsley

12 So the bill having received an affirmative vote of a majority of the members-elect, the
13 Speaker declared the bill passed and the title was agreed to.

14 HB 1221: FOR AN ACT ENTITLED, An Act to exempt certain amateur sports coaches
15 from sales and use tax.

16 Was read the second time.

17 The question being "Shall HB 1221 pass as amended?"

18 And the roll being called:

19 Yeas 57, Nays 11, Excused 2, Absent 0

20 Yeas:

21 Anderson; Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden;
22 Duvall; Ecklund; Feickert; Feinstein; Gibson; Greenfield; Haggar (Jenna); Hajek; Hawks;
23 Hawley; Heinert; Hickey; Hoffman; Hunhoff (Bernie); Kaiser; Killer; Kirschman; Kopp;
24 Langer; Magstadt; May; Munsterman; Nelson; Novstrup (David); Olson (Betty); Peterson;
25 Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly;
26 Soli; Solum; Stalzer; Stevens; Tulson; Tyler; Westra; Wick; Wink; Wismer; Speaker Gosch

27 Nays:

28 Erickson; Haggar (Don); Heinemann (Leslie); Johns; Lust; Mickelson; Otten (Herman); Qualm;
29 Steele; Verchio; Werner

30 Excused:

31 Latterell; Parsley

32 So the bill having received an affirmative vote of a majority of the members-elect, the
33 Speaker declared the bill passed and the title was agreed to.

1 HB 1132: FOR AN ACT ENTITLED, An Act to make a minor's school calendar the
2 reference point from which to permit employment that would not interfere with the minor's
3 education.

4 Was read the second time.

5 The question being "Shall HB 1132 pass?"

6 And the roll being called:

7 Yeas 66, Nays 2, Excused 2, Absent 0

8 Yeas:

9 Anderson; Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden;
10 Duvall; Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar
11 (Jenna); Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie);
12 Kaiser; Killer; Kirschman; Kopp; Langer; Lust; Magstadt; May; Mickelson; Munsterman;
13 Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Peterson; Qualm; Rasmussen; Ring;
14 Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum;
15 Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer;
16 Speaker Gosch

17 Nays:

18 Hajek; Johns

19 Excused:

20 Latterell; Parsley

21 So the bill having received an affirmative vote of a majority of the members-elect, the
22 Speaker declared the bill passed and the title was agreed to.

23 HB 1181: FOR AN ACT ENTITLED, An Act to allow for the requirement of a
24 certification of health from an employee of a school.

25 Was read the second time.

26 The question being "Shall HB 1181 pass as amended?"

27 And the roll being called:

28 Yeas 64, Nays 4, Excused 2, Absent 0

1 Yeas:

2 Anderson; Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden;
3 Duvall; Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar
4 (Jenna); Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff
5 (Bernie); Johns; Kaiser; Killer; Kirschman; Kopp; Langer; Lust; Magstadt; Mickelson;
6 Munsterman; Novstrup (David); Olson (Betty); Otten (Herman); Peterson; Qualm; Rasmussen;
7 Ring; Romkema; Rozum; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Steele;
8 Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer; Speaker Gosch

9 Nays:

10 May; Nelson; Rounds; Russell

11 Excused:

12 Latterell; Parsley

13 So the bill having received an affirmative vote of a majority of the members-elect, the
14 Speaker declared the bill passed and the title was agreed to.

15 HB 1246: FOR AN ACT ENTITLED, An Act to increase the maximum bet limit and to
16 eliminate the award limit on video lottery games.

17 Was read the second time.

18 1246oa

19 Rep. Werner moved that HB 1246 be amended as follows:

20 On page 1, line 9, of the House Commerce and Energy Committee engrossed bill, after
21 "play" insert "not to exceed two thousand five hundred dollars".

22 Which motion prevailed.

23 1246ta

24 Rep. Bolin moved that HB 1246 be further amended as follows:

25 On the House Commerce and Energy Committee engrossed bill, delete all amendments,
26 thus restoring the bill to the printed version.

27 A roll call vote was requested and supported.

1 The question being on Rep. Bolin's motion that HB 1246 be further amended.

2 And the roll being called:

3 Yeas 52, Nays 16, Excused 2, Absent 0

4 Yeas:

5 Anderson; Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Duvall; Ecklund;
6 Erickson; Feickert; Feinstein; Gibson; Haggar (Don); Haggar (Jenna); Hawks; Heinemann
7 (Leslie); Heinert; Hickey; Hunhoff (Bernie); Kaiser; Killer; Kirschman; Kopp; Lust; Magstadt;
8 May; Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Qualm;
9 Rasmussen; Romkema; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly; Soli; Stalzer;
10 Steele; Stevens; Tyler; Verchio; Wick; Wink; Wismer; Speaker Gosch

11 Nays:

12 Cronin; Dryden; Greenfield; Hajek; Hawley; Hoffman; Johns; Langer; Mickelson; Peterson;
13 Ring; Rounds; Solum; Tulson; Werner; Westra

14 Excused:

15 Latterell; Parsley

16 So the motion having received an affirmative vote of a majority of the members present,
17 the Speaker declared the motion carried and HB 1246 was so further amended.

18 The question being "Shall HB 1246 pass as amended?"

19 And the roll being called:

20 Yeas 28, Nays 40, Excused 2, Absent 0

21 Yeas:

22 Anderson; Bartling; Carson; Conzet; Cronin; Dryden; Erickson; Hajek; Hawley; Hoffman;
23 Johns; Killer; Kirschman; Langer; Lust; Magstadt; May; Mickelson; Peterson; Romkema;
24 Rounds; Rozum; Schoenfish; Solum; Tulson; Tyler; Werner; Westra

25 Nays:

26 Bolin; Cammack; Campbell; Craig; Duvall; Ecklund; Feickert; Feinstein; Gibson; Greenfield;
27 Haggar (Don); Haggar (Jenna); Hawks; Heinemann (Leslie); Heinert; Hickey; Hunhoff (Bernie);
28 Kaiser; Kopp; Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Qualm;
29 Rasmussen; Ring; Russell; Schaefer; Schrempp; Sly; Soli; Stalzer; Steele; Stevens; Verchio;
30 Wick; Wink; Wismer; Speaker Gosch

31 Excused:

32 Latterell; Parsley

33 So the bill not having received an affirmative vote of a majority of the members-elect, the
34 Speaker declared the bill lost.

1 Rep. Lust moved that the balance of the calendar including HB 1127, 1162, 1206, 1122,
2 1171, and 1111 and SB 12, 64, 55, 27, 31, 32, 63, 14, 89, and 93 be deferred to Wednesday,
3 February 19, the 22nd legislative day.

4 Which motion prevailed.

5 There being no objection, the House reverted to Order of Business No. 5.

6 **REPORTS OF STANDING COMMITTEES**

7 MR. SPEAKER:

8 The Committee on Legislative Procedure respectfully reports that the Office of Engrossing
9 and Enrolling has carefully compared HB 1056, 1059, 1060, and 1092 and finds the same
10 correctly enrolled.

11 Respectfully submitted,
12 Brian G. Gosch, Chair

13 **SIGNING OF BILLS**

14 The Speaker publicly read the title to

15 HB 1056: FOR AN ACT ENTITLED, An Act to repeal certain provisions regarding the
16 taxation, the licensing, and the regulation of motor vehicles.

17 HB 1059: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the
18 exemption of mass transit motor vehicles from licensing and registration fees and the motor
19 vehicle excise tax.

20 HB 1060: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding
21 military speciality plates.

22 HB 1092: FOR AN ACT ENTITLED, An Act to require that crematories be under the
23 direction of licensed funeral establishments and funeral directors.

24 SB 80: FOR AN ACT ENTITLED, An Act to provide a credit to homebuilt aircraft for
25 sales and use taxes when paying the aircraft registration tax and to make a reimbursement to the
26 aeronautics fund for the amount of the credit granted.

27 And signed the same in the presence of the House.

1 Rep. Steele moved that the House do now adjourn, which motion prevailed and at
2 4:50 p.m. the House adjourned.

3
Arlene Kvislen, Chief Clerk